

**REMARKS**

This application has been reviewed in light of the Office Action mailed on February 23, 2005. Claims 1-14 are pending in the application. No new matter or issues are believed to be introduced by the amendments.

**35 U.S.C. §102(e)**

In the Office Action, Claims 1-14 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,782,253 – Shteyn et al (hereinafter Shteyn).

Applicants respectfully traverse the rejection of claims 1-14 under 35 U.S.C. §102(e). It is respectfully submitted that claims 1-14 are patentable over Shteyn for at least the following reasons.

The present invention relates to services offered to users of electronic equipment, especially but not exclusively to users of mobile communications devices such as portable telephones and suitably equipped PDA's (personal digital assistants).

Claim 1 recites, a communications system comprising at least one beacon device capable of wireless message transmission and at least one portable device capable of receiving such a message transmission, wherein the beacon is arranged to broadcast a series of inquiry messages each in the form of a plurality of predetermined data fields arranged according to a first communications protocol, wherein the beacon is further arranged to add to each inquiry message prior to transmission an additional data field, and wherein the at least one portable device is arranged to receive the transmitted inquiry

messages and read data from said additional data field, the additional data field including location information. These features are not shown (or suggested) in Shteyn.

The inquire message of claim 1 adds the additional field (suitably at the end of a respective inquiry message), so that a data broadcast may be carried on top of an existing inquiry process.

In contrast, Shteyn provides a method of enabling a user of a mobile communication device to receive a short-range wireless facilitation signal on the device. A beacon transmits a facilitating signal. When a user's device is within range of the beacon the facilitation signal initiates associating the facilitating signal with the service. The initiating leads conditionally to alerting the user to the service, depending on a user-profile, preferably stored at the mobile device. (Shteyn – Col. 3, lines 1 – 9)

Shteyn fails to teach (or suggest) the elements recited in independent Claim 1, that of, a beacon arranged to broadcast a series of inquiry messages each in the form of a plurality of predetermined data fields arranged according to a first communications protocol, wherein the beacon is further arranged to add to each inquiry message prior to transmission an additional data field, the additional data field including location information.

The system recited in independent claim 1 provides significant advantages. One advantage is that the usual delays that are incurred while an inquiry process is carried out prior to data transfer are avoided. Thus, the inquiry performance of a system can be improved by shortening the time to establish a connection for data exchange. A further advantage is that by placing the additional field at the end of a respective inquiry message in accordance with a communications protocol (preferably but not

essentially Bluetooth), those protocol-compatible devices not intended for reception of beacon signals can simply ignore the additional data without compromising operation according to protocol.

It is respectfully submitted that at least the limitations and/or features of Claim 1 is not anticipated by the disclosure of Shteyn.

Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) with respect to Claim 1 and allowance thereof is respectfully requested.

Claims 2-9 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and allowance of Claims 2-9 is respectfully requested.

Independent Claims 10 and 11 recite similar subject matter as Claim 1 and therefore contain the limitations of Claim 1. Specifically, independent claim 10 recites a beacon device configured to broadcast a series of inquiry messages each in the form of a plurality of predetermined data fields arranged according to a first communications protocol, and to add to each inquiry message prior to transmission an additional data field, such as to enable the at least one portable device arranged to receive the transmitted inquiry messages to read data from said additional data field, the additional data field including location information.

Independent claim 11 recites a method for enabling a user of a portable communications device to receive broadcast messages wherein at least one beacon device broadcasts a series of inquiry messages each in the form of a plurality of predetermined data fields arranged according to a first communications protocol, wherein the beacon

adds to each inquiry message prior to transmission an additional data field carrying broadcast message data including location information, and wherein the portable device receives the transmitted inquiry messages including the location information and reads the broadcast data from said additional data field.

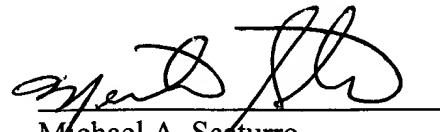
Hence, for at least the same reasons given for Claim 1, Claims 10 and 11 are believed to be allowable over Shteyn. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and allowance of Claims 10 and 11 is respectfully requested.

Claims 12-14 depend from independent Claim 11 and therefore contain the limitations of Claim 11 and are believed to be in condition for allowance for at least the same reasons given for Claim 11 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and allowance of Claims 12-14 is respectfully requested.

### Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1 – 14 are believed to be in condition for allowance and patentably distinguishable over the art of record.

Respectfully submitted,



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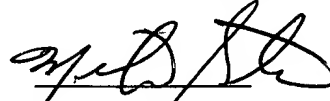
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Amendment in Reply to Non-Final Office Action of February 23, 2005

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